

2/26/75

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Marc S. Kirschner,
as Trustee of the Refco Litigation Trust,

Plaintiff,

v.

THOMAS H. LEE PARTNERS, L.P.; THOMAS H. LEE ADVISORS, LLC; THL MANAGERS V, LLC; THL EQUITY ADVISORS V, L.P.; THOMAS H. LEE EQUITY FUND V, L.P.; THOMAS H. LEE PARALLEL FUND V, L.P.; THOMAS H. LEE EQUITY (CAYMAN) FUND V, L.P.; THOMAS H. LEE INVESTORS LIMITED PARTNERSHIP; 1997 THOMAS H. LEE NOMINEE TRUST; THOMAS H. LEE; DAVID V. HARKINS; SCOTT L. JAECKEL; and SCOTT A. SCHOEN,

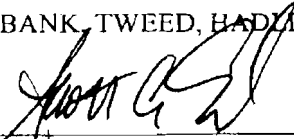
Defendants.

STIPULATION AND ORDER


IT IS HEREBY STIPULATED AND AGREED between the undersigned counsel for the parties to this stipulation that the period of time within which Defendants shall answer the complaint filed by Plaintiff is hereby extended from October 16, 2007 to and including October 23, 2007.

Dated: New York, New York
October 15, 2007

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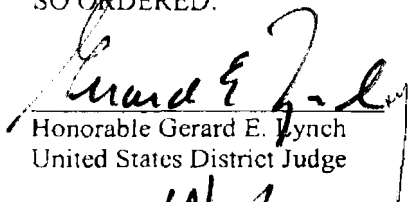
-and-

*Attorneys for Plaintiff Marc S. Kirschner, as
Trustee of the Refco Litigation Trust*

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THL Managers V, LLC, THL Equity Advisors
V, L.P., Thomas H. Lee Equity Fund V, L.P.,
Thomas H. Lee Parallel Fund V, L.P., Thomas
H. Lee Equity (Cayman) Fund V, L.P., Thomas
H. Lee Investors Limited Partnership, 1997
Nominee Trust, Thomas H. Lee, David V.
Harkins, Scott L. Jaeckel and Scott A. Schoen*

SO ORDERED:


Honorable Gerard E. Lynch
United States District Judge

10/18/07